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Sir:

Transmitted herewith for filing is the patent application, having

Inventors: Wendy Robbins
Jorli McLain

For: TINGLER MASSAGE DEVICE

☒ Specification (15 pages), 14 Claims (3 pages), abstract (1 page)

☒ 4 sheets of drawings, including 11 figures thereon.

☒ Declaration and Power of Attorney

☐ An assignment of the invention to _____

☐ Certified copies of _____ application No. _____.

☐ An Information Disclosure Statement

☒ Filing fee, calculated as shown below:

(Col. 1) (Col. 2)

FOR:	No. Filed	No. Extra
BASIC FEE	██████████	██████████
TOTAL CLAIMS	3 -20=	* 0
INDEP CLAIMS	1 - 3=	* 0
____ MULTIPLE DEPENDENT CLAIM PRESENTED		

Small Entity

RATE	FEE
██████████	\$345
x11=	
x37=	
+115=	
TOTAL	\$345

Other Than A
Small Entity

RATE	FEE
██████████	\$690
x22=	
x74=	
+230=	

or

or

or

or

or

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

☒ FEE ENCLOSED. The filing fee, Declaration, and Small Entity Declaration are attached.

Respectfully submitted,

By Michael J. Foycik, Jr.
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Enclosures: Specification, Claims, Abstract, Drawings, Declaration, Small Entity Declaration, and Check



RECEIPT IS HEREBY ACKNOWLEDGED OF THE FILING OF THE FOLLOWING UTILITY
PATENT APPLICATION, having the Title of:
TINGLER MASSAGE DEVICE

Inventors: Wendy Robbins
Jorli McLain

Enclosed:

- (1) Specification (15 pages), 14 Claims (3 pages), abstract (1 page);
- (2) 4 sheets of drawings, including 11 figures thereon.
- (3) Declaration and Power of Attorney;
- (4) Small Entity Statement;
- (5) Check in the amount of **\$345.00**
(covering the Government Filing Fee for a **SMALL ENTITY** of \$345 (the
Small Entity form is attached).

Atty. Docket No. T101

Date: July 20, 2000

Atty: Michael J. Foycik, Jr.

Reg. No. 30,928

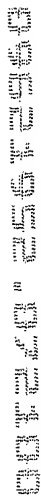
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Washington, D.C. 20036



Applicant/Patentee: Wendy Robbins and Jorli McLain
Serial/Patent No.: _____ Atty. Dkt No. T101
Filed on/Issued on: _____
For: TINGLER MESSAGE DEVICE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR § 1.9(f) AND § 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor(s), I/we hereby declare that I/we qualify as an independent inventor as defined in 37 CFR § 1.9(c) for purposes of paying reduced fees under 35 USC § 41(a) to the U.S. Patent and Trademark Office with regard to the invention entitled _____ described in:

- ☒ The specification filed herewith
☐ U.S. Application Serial No. 0 / _____, filed _____
☐ U.S. Patent No. _____, issued _____

I/we have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a non-profit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed, or am under an obligation under contract or law to assign, grant, convey or license, any rights in the invention is listed below:

- ☒ No such person, concern or organization
☐ persons, concerns or organizations listed below*

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*NOTE: Separate Verified Statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the Issue Fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Verified Statement is directed.

Wendy Robbins Jorli McLain

NAME OF INVENTOR

NAME OF INVENTOR

Signature
of Inventor

Signature
of Inventor

Date

Date

Wendy Robbins
July 12 2000

Jorli McLain
July 12 2000

Docket No. T101

TITLE:

TINGLER MASSAGE DEVICE

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TINGLER MASSAGE DEVICE

FIELD OF THE INVENTION

The present invention relates to massage devices. More particularly, the invention relates to a massage device for the head or scalp, and having flexible, metallic prongs or fingers, the prongs being readily bendable or repositionable.

BACKGROUND OF THE INVENTION

Massage devices for the head and scalp are known in the art.

U.S. Patent No. 1,111,427 to Archibald relates to a massage appliance having a roller body, handle, and a plurality of protrusions on the roller. Each protrusion has itself a plurality of protrusions.

U.S. Patent No. 4,506,659 to Chester teaches a scalp massager having the form of a helmet. Inside the helmet are massaging elements having short, resilient projections.

U.S. Patent No. 3,373,739 to Rankin teaches an apparatus for massaging scalp using rotating brushes. The brushes are applied to the scalp using a headphone-like support member, and electrical power is supplied to cause the rotation of the rotating brushes.

U.S. Design Patent No. Des. 405,537 to Taylor et al. teaches a vibrating body massager. The massager is attachable to the head of a user, and projecting portions contact

the face of the user.

U.S. Design Patent No. Des. 368,141 to Rabin et al. teaches a scalp massager having a helmet-like shape.

U.S. Design Patent No. Des. 348,520 to Wolf teaches a therapeutic appliance for stress relief. The appliance is in the form a helmet with an electrically-operated vibration element.

U.S. Design Patent No. Des. 260,553 to Wu teaches a vibrating massaging mask. The mask is attachable to the head of a wearer.

U.S. Design Patent No. Des. 293,932 to Ramseyer teaches a massaging head and face mask. The mask completely covers the head and most of the face, except for the eyes and nose.

SUMMARY OF THE INVENTION

From the foregoing, it is seen that it is a problem in the art to provide a device meeting the above requirements. According to the present invention, a device is provided which meets the aforementioned requirements and needs in the prior art. Specifically, the device according to the present invention provides a massage device for the head or scalp having flexible, metallic prongs or fingers.

These and other objects according to the present invention are accomplished by provision of a massage device for the head or scalp, and having flexible, metallic prongs or fingers.

More specifically, the massage device according to the present invention includes a handle, and a plurality of flexible, elongated members protruding from the handle. Each of the plurality of flexible, elongated members are bendable in the preferred embodiment.

In one embodiment, the handle includes a hollow body, end caps, and a solid insert member. The plurality of flexible, elongated members are attached to the handle by compression fitting between the end caps and the insert member.

In another embodiment, the handle includes a hollow body, end caps, and a solid resilient filler material. The plurality of flexible, elongated members are attached to the handle by the solid resilient filler material, which may be solidified around the plurality of flexible, elongated members.

In a further embodiment, the plurality of flexible, elongated members are made of nitinol material, which is a shape memory alloy. This permits the user to restore the plurality of flexible, elongated members to their original shape by heating of the nitinol wires. This is used, for example, when the plurality of flexible, elongated members have

been deformed from their original condition, and the user wishes to restore them to that condition.

In another further embodiment, each of the plurality of flexible, elongated members has a portion which is bendable and the bending thereof is electrically controllable. The bending may be accomplished by use of a plurality of strips composed of electro-responsive material. Such materials can change in length, for example, under application of electrical current or by heating thereof using electrical current.

Other objects and advantages of the present invention will be more readily apparent from the following detailed description when read in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a side elevational view of a massage device according to the present invention.

Fig. 2 is an end elevational view of the device of Fig. 1 as seen from the right side thereof.

Fig. 3 is an assembly view of a handle portion of the device of Fig. 1.

Fig. 4 is an end view of an end cap of the handle portion of Fig. 3.

Fig. 5 is an end view of a tubular body portion of the handle portion of Fig. 3.

Fig. 6 is an end view of another end cap of the handle portion of Fig. 3, having an aperture therethrough.

5 Fig. 7 is a sectional view of the end cap of Fig. 6, taken along line 7-7 of Fig. 6.

Fig. 8 is a sectional view taken longitudinally of the massage device of Fig. 1, of one embodiment of the handle construction using an insert member.

Fig. 9 is a sectional view taken longitudinally of the massage device of Fig. 1, of another embodiment of the handle construction using a solid retaining material.

10 Fig. 10 is an alternative embodiment of the massage device of Fig. 1, in which the wires are composed of shape memory alloy.

Fig. 11 is an alternative embodiment of the massage device of Fig. 1, in which the wires each have a controllably bendable portion.

DETAILED DESCRIPTION OF THE INVENTION

A massage device 100 is shown in Fig. 1, and includes a handle 10 and a plurality of flexible, elongated members 22, 24, 26, 28 protruding from the handle 10. Each of the plurality of flexible, elongated members 22, 24, 26, 28 are bendable, and may be composed, for example, of copper material or other metal or metal alloy.

The flexible, metallic prongs or fingers 22, 24, 26, and 28 are preferably sufficiently stiff as to retain their position and shape. They are somewhat resilient, inasmuch as they will return to their initial positions after application of a force thereto less than a bending force. However, upon application of a force sufficient to cause bending, once bent by a user so as to be moved to another position or formed into another shape under a bending force, the flexible, metallic prongs or fingers 22, 24, 26, and 28 will stay in that shape.

As shown in Fig. 1, each of the flexible, metallic prongs or fingers 22, 24, 26, 28 has a covering at its tip. Specifically, each of the flexible, metallic prongs or fingers 22, 24, 26, 28 has a respective covering 30. The covering 30 is preferably a soft, resilient plastic coating, to protect the scalp against injury or damage. The covering 30 can be applied to the tips by dipping in liquid plastic material, for example. It is also contemplated as being within the scope of the present invention that each of the coverings 30 could be a pre-molded piece which is slid over respective ones of the tips of the fingers 22, 24, 26, and 28, and secured thereon frictionally or by adhesive. All such variations are contemplated as being within the scope of the present invention.

It is contemplated as being within the scope of the present invention that each of the plurality of flexible, elongated members 22, 24, 26, 28 may be composed of other suitable materials for use as a massage device, for example, flexible plastic or rubber material. All such variations are contemplated as being within the scope of the present invention.

5 The handle 10 includes an end cap 14, a tubular body portion 12, and an end cap 16. The end caps 14 and 16 can, for example, be secured to the tubular body portion 12 by use of mating screw threads. Alternatively, the end caps 14 and 16 can be secured to the tubular body portion 12 by use of glue or adhesive, or by welding or soldering. All such variations are contemplated as being within the scope of the present invention.

10 Fig. 2, which is an end elevational view of the device of Fig. 1 as seen from the right side thereof, shows an additional four flexible, metallic prongs or fingers 42, 44, 46, and 48, whose view in Fig. 1 was obstructed by corresponding ones of the flexible, metallic prongs or fingers 22, 24, 26, 28. As seen in Fig. 2, the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 extend approximately equi-angularly from the end cap 16 of the
15 handle 10.

Fig. 3 is an assembly view of a handle portion 10 of the massage device 100 of Fig. 1. In this view, dashed lines illustrate the interior structures of the tubular body portion 12, the end cap 14, and the end cap 16. These elements are shown in greater detail in Figs. 4-7, as described further hereunder.

Fig. 4 is an end view of end cap 14 of the handle portion 10 of Fig. 3. As seen in this view, the end cap 14 has a peripheral tubular wall and a solid end face 54.

Fig. 5 is an end view of the tubular body portion 12 of the handle portion 10 of Fig. 3. As seen in this view, the tubular body portion 12 has a hollow cylindrical shape.

Fig. 6 is an end view of the end cap 16 of the handle portion 10 of Fig. 3. As seen in this view, the end cap 16 has a peripheral tubular wall and an end face 58. The end face 58 has a circular aperture 56 formed therethrough.

Fig. 7 is a sectional view of the end cap 16 of Fig. 6, taken along line 7-7 of Fig. 6. As seen in this view, the circular aperture 56 and the end face 58 are seen clearly.

Fig. 8 is a sectional view taken longitudinally of the massage device 100 of Fig. 1, of one embodiment of the construction of the handle 10. In this embodiment, an insert member 70 is provided. The insert member 70 is provided to frictionally secure the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 inside the handle 10. For the sake of clarity, only two of the flexible, metallic prongs or fingers 22 and 28 are shown in this view. Also for the sake of clarity, the size of the insert member 70 is schematically shown in this view, and is not to scale with the other parts. The insert member 70 in practice will be sufficiently large that, when the end cap 14 and the end cap 16 are secured to the tubular body portion 12, the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48

will be compressed between the insert member 70 and the end cap 14, the end cap 16, and the tubular body portion 12. Other types of compression fitting are known, and all such variations are contemplated as being within the scope of the present invention.

Fig. 9 is a sectional view taken longitudinally of the massage device 100 of Fig. 1, of another embodiment of the construction of the handle 10 using a solid retaining material 80 therein. In this embodiment, the solid retaining material 80 is provided to secure the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 inside the handle 10. The solid retaining material 80 is provided to secure the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 inside the handle 10. For the sake of clarity, only one of the flexible, metallic prongs or fingers 22 is shown in this view. The plurality of flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 are thereby attached to the handle 10 by the solid resilient filler material (solid retaining material) 80, which may be solidified around the plurality of flexible, elongated members. For example, rubber or plastic may be used in liquid form by pouring or injection into the tubular body portion 12, and then permitted to solidify or harden. All such variations are contemplated as being within the scope of the present invention.

Fig. 10 is an alternative embodiment of the massage device 100 of Fig. 1, in which the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 are composed of nitinol material, which is a shape memory alloy. This permits the user to restore the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 to their original shape

(shown in dashed outline in Fig. 10) by heating of the nitinol wires. This is used, for example, when the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 have been deformed from their original condition, and the user wishes to restore them to that condition. Other shape memory alloys are known and can be used in the present invention, and all such variations are contemplated as being within the scope of the present invention. In the restored position, the flexible, metallic prongs or fingers are renumbered as 22a, 24a, 26a, and 28a. The flexible, metallic prongs or fingers 42, 44, 46, and 48 are not visible in this view, being obstructed by the corresponding ones of the fingers 22, 24, 26, and 28. This permits the user to restore the plurality of flexible, elongated members to their original shape by heating of the nitinol wires. This is used, for example, when the plurality of flexible, elongated members have been deformed from their original condition, and the user wishes to restore them to that condition.

Fig. 11 is an alternative embodiment of the massage device of Fig. 1, in which each of the flexible, metallic prongs or fingers 22, 24, 26, 28, 42, 44, 46, and 48 includes a controllably bendable portion 124. One such prong or finger 22b is shown, having a pair of electrical leads (unnumbered) supplying electrical current to strips 132, 134, and 136. Such strips can be of electro-responsive material, of the type which contracts, or may be of a bimetallic construction which, when supplied with electrical current, bends. In this alternative embodiment, the bending may be accomplished by use of the plurality of strips 132, 134, 136, and other strips not visible in Fig. 11, which are composed of electro-responsive material. Such materials can change in length, for example, under application of

electrical current or by heating thereof using electrical current. Nitinol wires can be embedded in the strips 132, 134, and 136, for example, as such wires are already used in high-speed camera shutters to suddenly contract under application of electrical current.

The invention being thus described, it will be evident that the same may be varied in many ways. Such variations are not to be regarded as a departure from the spirit and scope of the invention and all such modifications are intended to be included within the scope of the claims.

WHAT IS CLAIMED IS:

1. A massage device for the head or scalp, comprising:
a handle portion, and
a plurality of flexible fingers extending from the handle portion.

5 2. The massage device of claim 1, wherein the plurality of flexible fingers are resiliently deformable.

 3. The massage device of claim 1, wherein the plurality of flexible fingers are deformably bendable under a force greater than a minimum bending force.

 4. The massage device of claim 1, wherein the plurality of flexible fingers are resiliently deformable, and wherein the plurality of flexible fingers are deformably bendable under a force greater than a minimum bending force.

 5. The massage device of claim 1, wherein handle portion includes a hollow body, a first end cap secured to the hollow body, and a second end cap secured to the hollow body.

6. The massage device of claim 5, wherein said second end cap has an aperture therethrough, and wherein said plurality of flexible fingers extend from the handle portion through said aperture.

7. The massage device of claim 1, wherein each of said plurality of flexible
5 fingers has a covering on a tip thereon.

8. The massage device of claim 1, wherein each of said plurality of flexible fingers is yieldingly deformable so as to retain its position once it is bend under a force exceeding a bending force.

9. The massage device of claim 5, further comprising a solid insert member
disposed in said hollow body, for retaining each of the plurality of flexible fingers therein by
compression force.

10. The massage device of claim 5, further comprising a solid resilient filler
material disposed in said hollow body, for retaining each of the plurality of flexible fingers
therein.

11. The massage device of claim 1, wherein each of the plurality of flexible, elongated members are made of nitinol material, which is a shape memory alloy, to permit the plurality of flexible fingers to regain their original shape when heated.

12. The massage device of claim 1, wherein each of the plurality of flexible,
5 fingers includes an electrically-controlled bendable portion.

13. The massage device of claim 12, wherein said electrically-controlled bendable includes a plurality of strips composed of electro-responsive material which can change in length under application of electrical current.

14. The massage device of claim 12, wherein said electrically-controlled bendable includes a plurality of strips composed of electro-responsive material which can change in length under application of heat, the heat being generated by said electrical current.

ABSTRACT OF THE DISCLOSURE

A massage device for the head or scalp has flexible, metallic prongs or fingers. The massage device includes a handle and a plurality of flexible, elongated members protruding from the handle. Each of the plurality of flexible, elongated members are bendable. In one embodiment, the handle includes a hollow body, end caps, and a solid insert member. The plurality of flexible, elongated members are attached to the handle by compression fitting between the end caps and the insert member. In another embodiment, the handle includes a hollow body, end caps, and a solid resilient filler material. The plurality of flexible, elongated members are attached to the handle by the solid resilient filler material, which may be solidified around the plurality of flexible, elongated members. In a further embodiment, the plurality of flexible, elongated members are made of nitinol material, which is a shape memory alloy. This permits the user to restore the plurality of flexible, elongated members to their original shape by heating of the nitinol wires. In another embodiment, each of the plurality of flexible, elongated members has a portion which is bendable and the bending thereof is electrically controllable. The bending may be accomplished by use of a plurality of strips composed of electro-responsive material. Such materials can change in length, for example, under application of electrical current or by heating thereof using electrical current.

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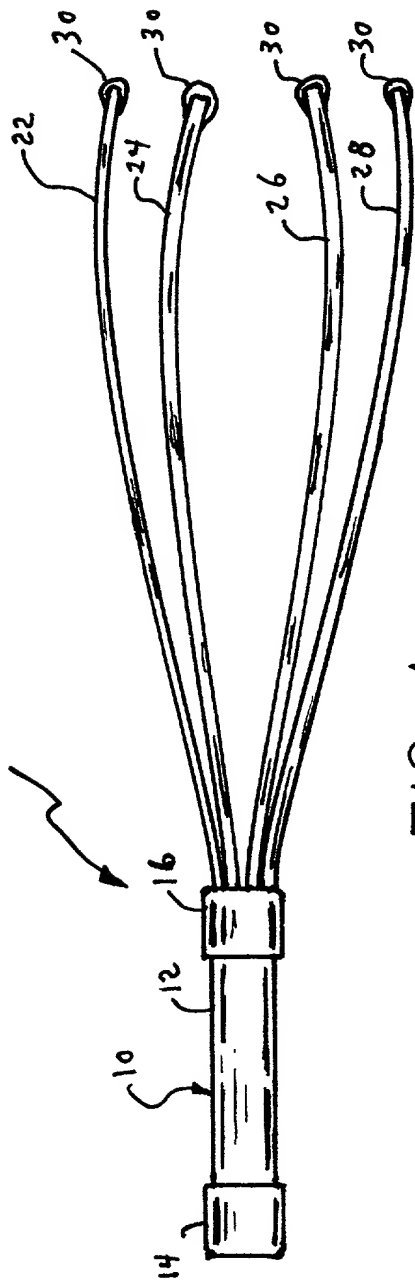


FIG. 1

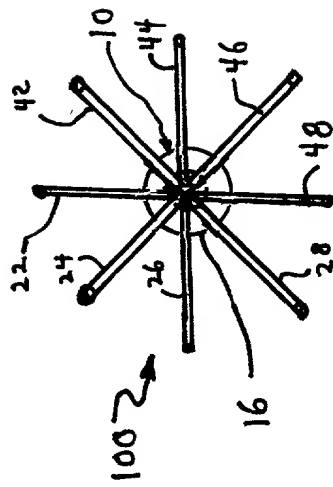


FIG. 2

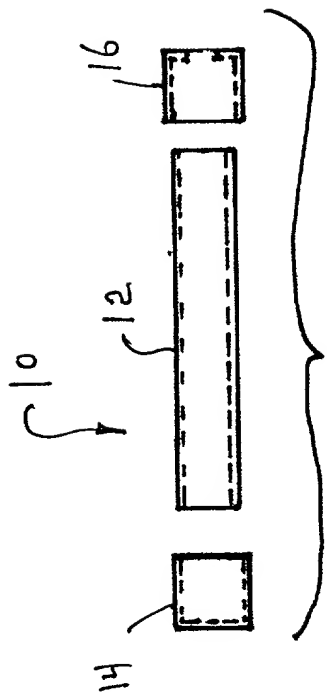


FIG. 3

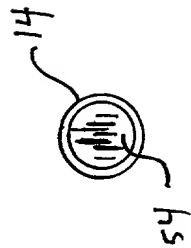


FIG. 4



FIG. 5

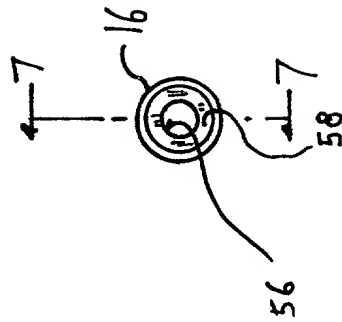


FIG. 6

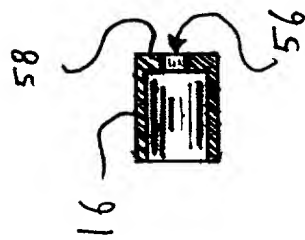
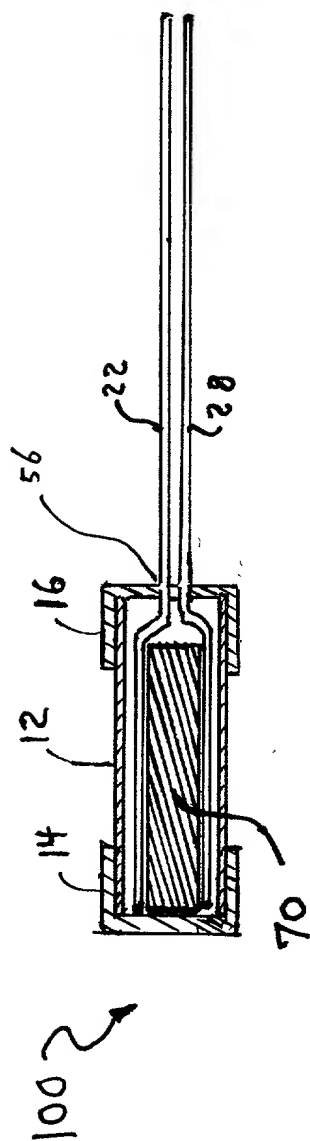
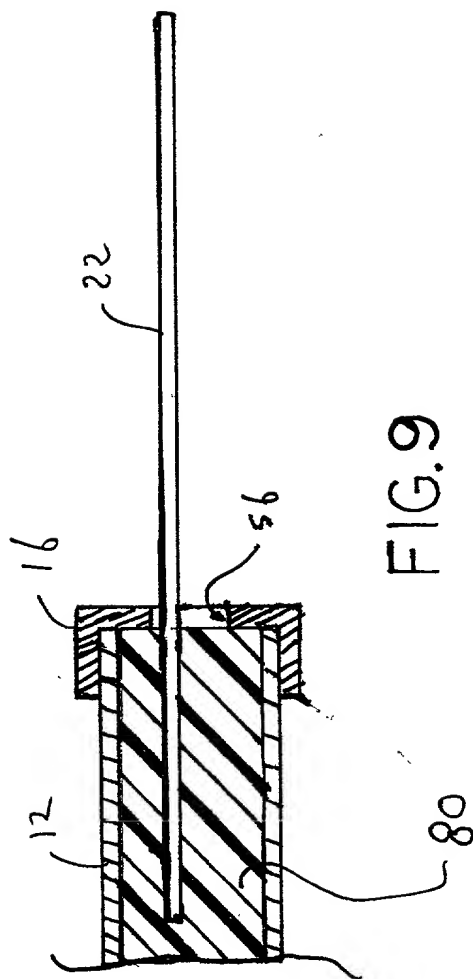


FIG. 7



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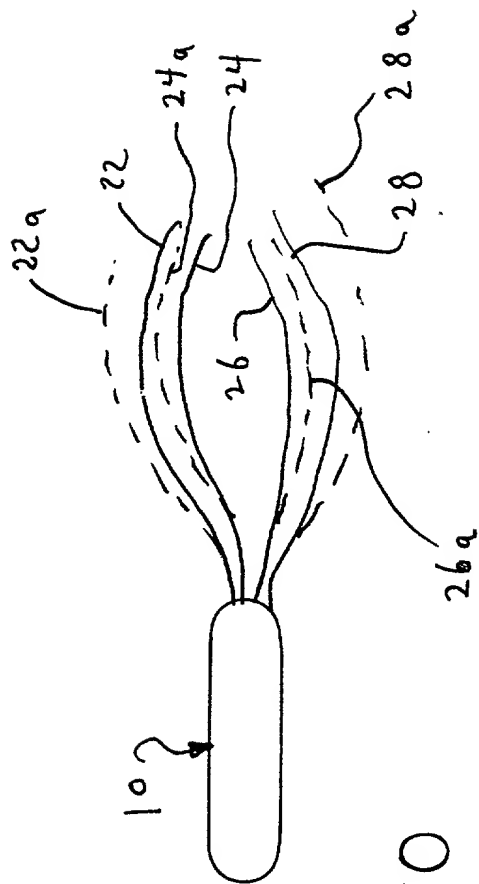


FIG. 10

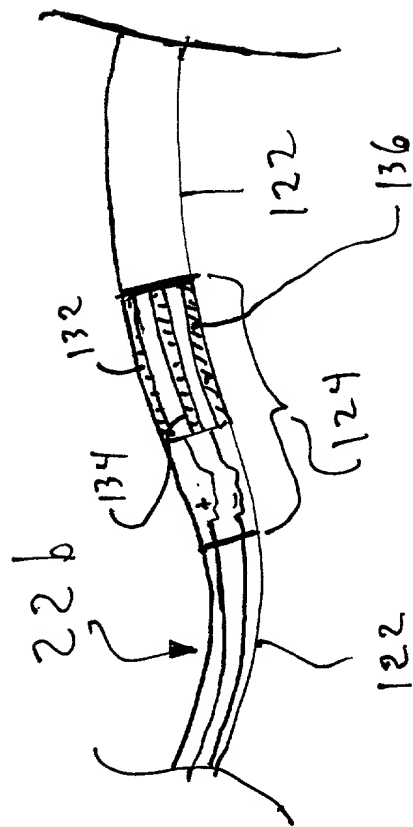


FIG. 11

DECLARATION FOR PATENT APPLICATION

Atty Docket T101

As the below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to my name.

We believe we are the original inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TINGLER MESSAGE DEVICE

the specification of which: (check one)

☒ is attached hereto.

☐ was filed on _____, as Serial No. _____
and was amended on _____ 19____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

Priority Claimed

(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

We hereby appoint Michael J. Foycik, Jr., Reg. No. 30,928 as my attorney to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

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We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Wendy Robbins

Inventor's Signature: Wendy Robbins Date: July 12, 2000
Residence: P.O. Box 16870 Pine Mountain, CA 93222
Citizenship: USA
Post Office Address: same

Full name of second inventor: Jorli McLain

Inventor's Signature: Jorli McLain Date: July 2000
Residence: 15141 Acacia Way Pine Mtn, CA 93222
Citizenship: USA
Post Office Address: same